

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document #

215

UNITED STATES

-v-

CALEB MARRERO

U.S.C.A. #

06-3011-CR

U.S.D.C. #

03-CR-449-8

JUDGE:

WOOD

DATE:

Sept. 12, 2006

INDEX TO THE RECORD ON APPEAL

PREPARED BY (NAME):

Ellen Smith

FIRM:

USA TORKEY

ADDRESS:

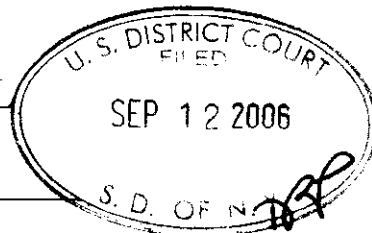
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DISTRICT COURT DOCKET ENTRIES

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CLERK'S CERTIFICATE

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☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
for the Second Circuit on the 12 Day of Sept., 2006.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES

-v-

CALEB MARANO

U.S.C.A. # 06-3011CR

U.S.D.C. # 03 CR 449

JUDGE: WCOB

DATE: Sept 12, 2006

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 205, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

<u>Date Filed</u>	<u>Document Description</u>
<u>4/10/03</u>	<u>Indictment</u>
<u>12/16/04</u>	<u>S1 Superseding Indictment Filed</u>
<u>12/16/04</u>	<u>S2 Superseding Indictment Filed</u>
<u>2/5/05</u>	<u>S3 Superseding Indictment Filed</u>

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 12 Day of Sep In this year of our Lord, Two Thousand and Six, and the Independence of the United States this 231st year.

J. Michael McMahon, Clerk

By

Deputy Clerk

APPEAL, PRIOR

**U.S. District Court
Southern District of New York (Foley Square)
CRIMINAL DOCKET FOR CASE #: 1:03-cr-00449-KMW-8**

Case title: USA v. Mendola, et al
Magistrate judge case number: 1:03-mj-00367

Date Filed: 04/10/2003

Date Filed	#	Docket Text
02/14/2003	<u>1</u>	COMPLAINT as to William Mendola, Glenn Olson, Randy Davila, Michael Gallegos, Michael Loiacono, Peter Chu, Blake Kantor, Robert Krilich, Caleb Marrero in violation of 21 U.S.C. 846 - Conspiracy to violate the narcotics law. (signed by Magistrate Judge Ronald L. Ellis) [1:03-m -367] (gq) (Entered: 02/19/2003)
02/14/2003	<u>10</u>	ARREST WARRANT issued as to Caleb Marrero. [1:03-m -367] (gq) (Entered: 02/19/2003)
04/10/2003	<u>44</u>	INDICTMENT as to William Mendola (1) count(s) 1, Glenn Olson (2) count(s) 1, Randy Davila (3) count(s) 1, Michael Gallegos (4) count(s) 1, Michael Loiacono (5) count(s) 1, Blake Kantor (6) count(s) 1, Robert Krilich (7) count(s) 1, Caleb Marrero (8) count(s) 1, Davis Reid (9) count(s) 1 (Preliminary Examination cancelled.) (jm) (Entered: 04/14/2003)
06/02/2003	<u>54</u>	ORDER as to William Mendola, Glenn Olson, Randy Davila, Michael Gallegos, Michael Loiacono, Blake Kantor, Robert Krilich, Caleb Marrero, Davis Reid, reset pretrial conference for 9:30 6/17/03 for William Mendola, for Glenn Olson, for Randy Davila, for Michael Gallegos, for Michael Loiacono, for Blake Kantor, for Robert Krilich, for Caleb Marrero, for Davis Reid (Signed by Judge Kimba M. Wood); Copies Mailed. (jw) (Entered: 06/02/2003)
06/18/2003	<u>58</u>	ORDER as to William Mendola, Glenn Olson, Randy Davila, Michael Gallegos, Michael Loiacono, Blake Kantor, Robert Krilich, Caleb Marrero, Davis Reid, reset pretrial conference for 10:15 6/26/03 for William Mendola, for Glenn Olson, for Randy Davila, for Michael Gallegos, for Michael Loiacono, for Blake Kantor, for Robert Krilich, for Caleb Marrero, for Davis Reid. SO ORDERED. (Signed by Judge Kimba M. Wood); Copies mailed. (ja) (Entered: 06/18/2003)
09/18/2003	<u>66</u>	TRANSCRIPT of record of proceedings as to William Mendola, Glenn Olson, Randy Davila, Michael Gallegos, Michael Loiacono, Blake Kantor, Robert Krilich, Caleb Marrero, Davis Reid for dates of 6/26/03, before Judge Kimba M. Wood . (tr) (Entered: 09/18/2003)

12/03/2003		Minute Entry for proceedings held before Judge Kimba M. Wood :Initial Appearance as to William Mendola, Glenn Olson, Randy Davila, Michael Gallegos, Michael Loiacono, Blake Kantor, Robert Krilich, Caleb Marrero, Davis Reid held on 12/3/2003. (jw,) (Entered: 12/08/2003)
12/03/2003		Minute Entry for proceedings held before Judge Kimba M. Wood :Pretrial Conference as to William Mendola, Glenn Olson, Randy Davila, Michael Gallegos, Michael Loiacono, Blake Kantor, Robert Krilich, Caleb Marrero, Davis Reid held on 12/3/2003, as to William Mendola, Glenn Olson, Randy Davila, Michael Gallegos, Michael Loiacono, Blake Kantor, Robert Krilich, Caleb Marrero, Davis Reid Pretrial Conference set for 2/23/2004 10:30 AM before Judge Kimba M. Wood. Defendant William Mendola is present with his attys Michael Macklowitz and Gino Singer. Defendant Glenn Olson is present with his atty, Steven Kartaganer. Davis Reid is present with his atty Patrick Joyce. For Randy Davila, Michael Hurwitz, is present. Defendant Davila's presence has been excused for this and the next conference. Atty for defendant Robert Krilich, Carlos Carvajelas is present. Defendant Robert Krilich's presence is excused for this and the next conference. Defendant Michael Gallegos is present with his atty, Eric Siegle. Defendant Michael Loiacono is present with his atty, Mario Gallucci. Defendant Blake Kantor is present with his atty, Barry Weinstein. AUSA Rosemary Nidiry, is present. Court reporter Marvin Birnbaum is present. Conference is held (see transcript). Discovery is still being produced. Next conference is scheduled for February 23, 2004 at 10:30am when scheduling will be finalized. Counsel for each of the defendants shall fax letter notifying the Court what motions they intend to make and the evidence underlying those motions by February 13, 2004. Time is excluded until February 23, 2004 to allow counsel to review discovery and to determine what, if any, motions to make. (jw,) (Entered: 12/08/2003)
01/06/2004		Minute Entry for proceedings held before Judge Kimba M. Wood :Arraignment as to Caleb Marrero (8) Count 1 held on 1/6/2004. Defendant Caleb Marrero is present with his attorney Martin Stolar. AUSA Rosemary Nidiry is present. Court reporter Joe Quinones is present. Defendant swears to truth of financial affidavit. Defense counsel states that defendant has reviewed indictment, waives its public reading and pleads not guilty. Bail hearing will take place on January 7, 2004 at 2:30 p.m. (rg,) (Entered: 01/06/2004)
01/06/2004		Minute Entry for proceedings held before Judge Kimba M. Wood : Plea entered by Caleb Marrero (8) Count 1 Not Guilty. (rg,) (Entered: 01/06/2004)
01/06/2004		Minute Entry for proceedings held before Judge Kimba M. Wood :Pretrial Conference as to Caleb Marrero held on 1/6/2004 (rg,) (Entered: 01/06/2004)
01/13/2004	74	CJA 23 Financial Affidavit by Caleb Marrero. (Signed by Judge Kimba M. Wood). CJA Atty Martin P. Stolar. (jw,) (Entered: 01/27/2004)

01/15/2004	73	CJA 20 as to Caleb Marrero : Appointment of Attorney Martin R. Stolar for Caleb Marrero.. (Signed by Judge Kimba M. Wood on 1/15/04) Original Mailed to attorney. Copy sent to file.(df,) (Entered: 01/30/2004)
01/21/2004	73	ORDER as to Caleb Marrero. The CJA atty assigned to receive cases on January 6, 2004, Martin Stolar, is hereby appointed to represent the defendant in the above-captioned matter as of that day. SO ORDERED. (Signed by Judge Kimba M. Wood on 1/15/04)(jw,) Modified on 1/23/2004 (jw,). Copies Mailed. (Entered: 01/23/2004)
01/21/2004		Attorney update in case as to Caleb Marrero. Attorney Martin R. Stolar for Caleb Marrero added. (jw,) (Entered: 01/23/2004)
02/27/2004	80	ORDER as to William Mendola, Glenn Olson, Randy Davila, Michael Gallegos, Michael Loiacono, Blake Kantor, Robert Krilich, Caleb Marrero, Davis Reid., as to William Mendola, Glenn Olson, Randy Davila, Michael Gallegos, Michael Loiacono, Blake Kantor, Robert Krilich, Caleb Marrero, Davis Reid. The 2/20/04 pretrial conference is adjourned to 3/2/04 at 9:30 a.m. The Court, on its own motion, excludes the time from today until 3/2/04 from Speedy Trial Act calculations... Counsel for dft Caleb Marrero, Martin Stolar, has informed my Courtroom Deputy that he no longer represents Marrero, notwithstanding that Mr. Stolar has not yet been relieved of representation... SO ORDERED. Pretrial Conference set for 3/2/2004 09:30 AM before Judge Kimba M. Wood. (Signed by Judge Kimba M. Wood on 2/24/04) Copies Mailed By Chambers.(ja,) (Entered: 03/01/2004)
03/02/2004		Minute Entry for proceedings held before Judge Kimba M. Wood: Pretrial Conference as to William Mendola, Glenn Olson, Randy Davila, Michael Gallegos, Michael Loiacono, Blake Kantor, Caleb Marrero, Davis Reid held on 3/2/2004. Defendant William Mendola is present with his attorneys, Michael Macklowitz and Gino Singer. Defendant Glenn Olson is present with his attorney, Steven Kartaganer. Davis Reid is present with his attorney Patrick Joyce. For Randy Davila, Michael Hurwitz is present. Defendant Davila's presence has been excused for this conference. Attorneys for defendant Robert Krilich, Ronald Fishcetti and Joseph Tacopina are present. Defendant Robert Krilich's presence is excused for this and the next conference. Defendant Michael Gallegos is present with his attorney, Eric Siegle. Defendant Michael Loiacano is present with his attorney, Mario Gallucci. Defendant Blake Kantor is present. Mr. Kartaganer is acting for Mr. Kantor's attorney, Barry Weinstein. Caleb Marrero is present with his attorney Jonathan Marks. AUSA Rosemary Nidiry and Glenn Colton are present. Court reporter Sandy Miaskoff is present. Conference is held (see transcript). Jonathan Marks is substituted for Martin Stolar as counsel for defendant Marrero. Scheduling is discussed. Plaintiff's motions are due May 3, 2004. Government response is due July 1, 2004. Next conference is scheduled for 7/16/04 at 10:00 a.m. The appearances of defendants Davila and Krilich are excused from the next conference. Trial is scheduled for 1/10/05. Time is excluded until 1/10/05. (ph,) (Entered: 03/05/2004)

03/02/2004		Set/Reset Hearings as to William Mendola, Glenn Olson, Randy Davila, Michael Gallegos, Michael Loiacono, Blake Kantor, Caleb Marrero, Davis Reid: Pretrial Conference set for 7/16/2004 10:00 AM before Judge Kimba M. Wood.(ph,) (Entered: 03/05/2004)
03/05/2004	81	ORDER as to Caleb Marrero. The atty assigned to this case, Martin Stolar, is hereby ordered substituted and the representation of the dft in the above-captioned matter is assigned to Jonathan Marks as of 2/25/04. SO ORDERED. (Signed by Judge Kimba M. Wood on 3/2/04) Copies Mailed By Chambers.(ja,) (Entered: 03/08/2004)
03/05/2004		Attorney update in case as to Caleb Marrero. Attorney Jonathan Marks for Caleb Marrero added. Attorney Martin R. Stolar terminated.(ja,) (Entered: 03/08/2004)
03/16/2004	82	TRANSCRIPT of Proceedings as to Caleb Marrero held on 1/6/04 before Judge Kimba M. Wood. (dfe,) (Entered: 03/16/2004)
04/27/2004	84	NOTICE OF ATTORNEY APPEARANCE: Joseph A. Bondy appearing for Caleb Marrero. (bw,) (Entered: 04/28/2004)
05/07/2004		Minute Entry On Disposition Sheet for proceedings held before Magistrate Judge Frank Maas :Bail Hearing as to Caleb Marrero held on 5/7/2004. AUSA Glen Colton; Defense counsel Joseph Bondy; Bail Disposition - Detention, see Detention Order. (bw,) (Entered: 05/13/2004)
05/14/2004	86	ORDER OF DETENTION PENDIND TRIAL as to Caleb Marrero. (Signed by Judge Frank Maas on 5/7/04)(ph,) (Entered: 05/17/2004)
06/01/2004	87	TRANSCRIPT of Proceedings as to William Mendola, Glenn Olson, Randy Davila, Michael Gallegos, Michael Loiacono, Blake Kantor, Robert Krilich, Caleb Marrero, Davis Reid held on March 2, 2004, 10:10 a.m. before Judge Kimba M. Wood. (dt,) (Entered: 06/01/2004)
06/10/2004	88	ENDORSED LETTER as to Caleb Marrero, addressed to Judge Wood, from Joseph A. Bondy/Hilary Semel, Attys for the dft, dated 4/28/04, re: a request for the Court to formally accept our substitution as counsel for Mr. Marrero. Prior counsel Jonathan Marx, Esq. has assented to substitution. -- Judge memo endorsed: Granted. Accepted nunc pro tunc 4/28/04. SO ORDERED. (Signed by Judge Kimba M. Wood on 6/7/04) Copies Mailed By Chambers..(ja,) (Entered: 06/14/2004)
08/23/2004	90	ENDORSED LETTER as to Caleb Marrero addressed to Judge Wood from Joseph A. Bondy and Hilary Semel dated 8/16/04 re: Accordingly, to the extent that it does not interfere with Bureau of Prison security considerations, we ask that Your Honor Order Mr. Marrero's transfer from the MDC to the MCC. Judge Memo-endorsed...The Court does not order this relief. The Court asks BOP to consider it. SO ORDERED. (Signed by Judge Kimba M. Wood on 8/20/04)(jw,) (Entered: 08/24/2004)

11/05/2004	Minute Entry for proceedings held before Judge Kimba M. Wood :Pretrial Conference as to William Mendola, Glenn Olson, Randy Davila, Michael Gallegos, Michael Loiacono, Blake Kantor, Robert Krilich, Caleb Marrero, Davis Reid held on 11/5/2004. Deft William Mendola is present w/his atty, Gino Singer. Deft Glenn Olson is present w/his atty, Steven Kartaganer. Atty for deft Randy Davila, Michael Hurwitz, is present. Deft Davila's presence has been excused for this conference. Atty for deft Robert Krilich, Chad Seigel is present. Deft Robert Krilich's presence is excused for this conference. Deft Michael Gallegos is present w/his attys, Michael Heller and Peter Toumbakis are present. Deft Michael Loiacono is present w/his atty, Mario Gallucci. Deft Blake Kantor is present w/his atty Barry Weinstein. Deft Caleb Marrero is present w/his atty Hilary Semel. Deft Davis Reid is present w/his atty, William Sannerman. AUSA Rosemary Nidiry is present. Court reporter Amy Rivera is present. Govt will contact defense counsel by 11/8/04 regarding terms of plea agreements. Defts shall have until 11/19/04 to consider any plea offers. The next conference for those defts who will not plead is scheduled for 11/29/04 at 10:30 a.m. The appearance of deft Randy Davila and deft Robert Krilich will be excused for this conference. At the conference defense counsel will notify court as to what motions defts will file. All pre-trial motions are due 12/3/04. The govt response is due 12/10/04. (bw,) (Entered: 11/12/2004)
11/05/2004	ORAL ORDER as to William Mendola, Glenn Olson, Randy Davila, Michael Gallegos, Michael Loiacono, Blake Kantor, Robert Krilich, Caleb Marrero, Davis Reid. Motions due by 12/3/2004. Govt Responses due by 12/10/2004. Pretrial Conference set for 11/29/2004 10:30 AM before Judge Kimba M. Wood.(bw,) (Entered: 11/12/2004)
11/05/2004	Minute Entry for proceedings held before Judge Kimba M. Wood :Pretrial Conference held on 11/5/2004 as to dft William Mendola, pres w/atty Gino Singer; dft Glenn Olson, pres w/atty Steven Kartaganer; Atty for dft Randy Davila, Michael Hurwitz is pres. Dft Davila's presence has been excused for this conference; atty for dft Robert Krilich, Chad Seigel is pres. Dft Robert Krilich's presence is excused for this conference; dft Michael Gallegos, pres w/attys Michael Heller and Peter Toumbakis; dft Michael Loiacono, is pres w/his atty Mario Gallucci; dft Blake Kantor, pres w/atty Barry Weinstein; dft Caleb Marrero, pres w/atty Hilary Semel; dft Davis Reid, pres w/atty William Sanneman. AUSA Rosemary Nidiry is pres. Crt rptr is pres. Gov't will contact defense counsel by 11/8/04 regarding terms of plea agreements. Dfts shall have until 11/19/04 to consider any plea offers. The next PTC for those dfts who will NOT plead is scheduled for set for 11/29/2004 10:30 AM before Judge Kimba M. Wood. The appearance of Randy Davila and Robert Krilich will be excused for this conference. At the conference defense counsel will notify crt as to what motions dfts will file. All pre-trial Motions due by 12/3/2004. Govt's Response due by 12/10/2004. (Court Reporter Joanne Mancari) (ja,) (Entered: 11/23/2004)

12/01/2004		Minute Entry for proceedings held before Judge Kimba M. Wood :Pretrial Conference as to William Mendola, Glenn Olson, Randy Davila, Michael Gallegos, Michael Loiacono, Blake Kantor, Robert Krilich, Caleb Marrero, Davis Reid held on 12/1/2004. Deft. William Mendola is present with his attorney, Gino Singer. Attorney for defendant Robert Krilich, Chad Seigel is present. Defendant Robert Krilich's presence is excluded for this conference. Caleb Marrero is present with his attorney Hilary Semel. AUSA Rosemary Nidiry is present. Court reporter Steven Griffing is present. Conference is held (see transcript). Government will supersede indictment by December 17, 2004. Next conference will be held on December 21, 2004 at 10:00 a.m. Defendant Robert Krilich's appearance at the next conference is waived. Court orders defendant Caleb Marrero to be transferred to the MCC from the MDC in order to prepare for trial. Defendant Marrero reserves right to sever if trial is adjourned from January 10, 2005. (rg,) (Entered: 12/03/2004)
12/01/2004		Set/Reset Deadlines/Hearings as to William Mendola, Glenn Olson, Randy Davila, Michael Gallegos, Michael Loiacono, Blake Kantor, Robert Krilich, Caleb Marrero, Davis Reid : Pretrial Conference set for 12/21/2004 10:00 AM before Judge Kimba M. Wood.(rg,) (Entered: 12/03/2004)
12/02/2004	107	ENDORSED LETTER as to William Mendola, Glenn Olson, Randy Davila, Michael Gallegos, Michael Loiacono, Blake Kantor, Robert Krilich, Caleb Marrero, Davis Reid addressed to Judge Kimba M. Wood from Rosemary Nidiry dated 11/23/04. Granting the Government's request for an extension of the 11/29/04 conference to 12/1/04 at 4:00 p.m. for those defendants who have not yet pled guilty. (Signed by Judge Kimba M. Wood on 11/30/04) Copies Faxed By Chambers.(kw,) (Entered: 12/08/2004)
12/13/2004	108	ORDER as to Caleb Marrero. The Court orders that the defendant Caleb Marrero be transferred from the MDC, Brooklyn, to the MCC, NY in order to allow the defendant to prepare for trial. (Signed by Judge Kimba M. Wood on 12/8/04)(jw,) (Entered: 12/13/2004)
12/16/2004	121	(S1) SUPERSEDING INDICTMENT FILED as to William Mendola (1) count(s) 1s, Caleb Marrero (8) count(s) 1s. (ph,) (Entered: 12/29/2004)
12/17/2004	109	TRANSCRIPT of Proceedings as to William Mendola, Robert Krilich, Caleb Marrero held on 12/1/04 before Judge Kimba M. Wood. (Belfiore, John) (Entered: 12/17/2004)
12/21/2004		Minute Entry for proceedings held before Judge Kimba M. Wood :ARRAIGNMENT (on S1) as to William Mendola (1) Count 1s and Caleb Marrero (8) Count 1s, held on 12/21/2004. Atty for William Mendola, Gino Singer is pres. Atty for Caleb Marrero, Hilary Semel is pres. AUSA Rosemary Nidiry is pres. Crt Rptr is pres. Plea entered by William Mendola (1) Count 1s and Caleb Marrero (8) Count 1s. Both dfts have read the Indictment, waive its public reading and plead NOT GUILTY on the First Superseding Indictment. Gov't intends to file a

		Second Superseding Indictment by 12/28/04 which will entail the production of further discovery. Trial is adjourned to 3/7/05. Parties are to confer prior to 2/18/05 and Request to Charge and Proposed Voir Dire are due 2/28/05. Parties are to notify the Crt within two days of receiving the additional discovery as to whether they will file any motions. Any Motions due by 2/1/2005. The Govt's Response due by 2/8/2005. Any Reply due by 2/11/2005. Time is excluded until 3/7/05.(Court Reporter Guido Tascione) (ja,) (Entered: 12/29/2004)
12/22/2004	<u>114</u>	ORDER as to William Mendola, Caleb Marrero. ORDERED that the Bureau of Prisons lodge the defendants William Mendola and Caleb Marrero within the same housing unit at the Metropolitan Correctional Center located at 150 Park Row, NY, NY, to facilitate trial preparation. JUDGE SO ORDERED. (Signed by Judge Kimba M. Wood on 12/21/04). [Microfilm 12/22/04 3pm](bw,) (Entered: 12/28/2004)
12/30/2004	<u>122</u>	(S2) SUPERSEDING INDICTMENT FILED as to William Mendola (1) count(s) 1ss, Caleb Marrero (8) count(s) 1ss. [Microfilmed on 1/4/05 at 3:00pm] (jw,) (Entered: 01/05/2005)
01/05/2005	<u>126</u>	ENDORSED LETTER as to William Mendola, Caleb Marrero addressed to Judge Wood from Marvin D. Morrison, Warden at Metropolitan Correction Center, New York, NY 10007 dated 12/22/04 re: submitted in response to the Judge's 12/21/04 Order regarding deft Mendola and deft Marrero, pretrial detainees at the MCC New York. The Judge ordered that they be housed in the same housing unit, MCC New York requests that the Order be vacated or modified. JUDGE ENDORSED - The Court acknowledges the BOP's concerns, in the circumstances (of which the Court was not aware). The Court directs defense counsel to consider how trial preparation can be facilitated, in the circumstances, and to communicate any suggestions to the Court. In the meantime, the court vacates its December 21, 2004 Order. (Signed by Judge Kimba M. Wood on 12/22/04); Copies Faxed By Chambers.(bw,) (Entered: 01/12/2005)
01/07/2005	<u>128</u>	TRANSCRIPT of Proceedings as to William Mendola, Robert Krilich, Caleb Marrero held on 12/1/04 before Judge Kimba M. Wood. (es,) (Entered: 01/07/2005)
01/10/2005		Minute Entry for proceedings held before Judge Kimba M. Wood :Arraignment as to William Mendola (1) Count 1ss and Caleb Marrero (8) Count 1ss held on 1/10/2005. Atty for William Mendola, Gino Singer, is present. Atty for Caleb Marrero, Joseph Bondy, is present. AUSAs Rosemary Nidiry and Brian Coad are present. Court reporter, Paula Speer, is present. Defts are arraigned on the second superseding indictment. Both defts have read the indictment, waive its public reading and plead not guilty. (bw,) (Entered: 01/14/2005)
01/10/2005		Minute Entry for proceedings held before Judge Kimba M. Wood : Plea entered by William Mendola (1) Count 1ss and Caleb Marrero (8) Count 1ss -Not Guilty. (bw,) (Entered: 01/14/2005)

01/31/2005	<u>128</u>	TRANSCRIPT of Proceedings as to William Mendola, Caleb Marrero held on 12/21/04 before Judge Kimba M. Wood. (Martin, Leslie) (Entered: 01/31/2005)
01/31/2005	<u>130</u>	TRANSCRIPT of Proceedings as to William Mendola, Glenn Olson, Randy Davila, Michael Gallegos, Michael Loiacono, Blake Kantor, Robert Krilich, Caleb Marrero, Davis Reid held on 11/5/04 before Judge Kimba M. Wood. (Martin, Leslie) (Entered: 01/31/2005)
02/01/2005	<u>132</u>	NOTICE MOTION for Order seeking 1) Notice of intent to offer prior bad act evidence; 2) Notice of intent to offer expert testimony; 3) Advance identification of all video or audio tapes; 4) Identification of all purported "co-conspirators" one month prior to trial; 5) MOTION for early production of Sec 3500 material; 6) Immediate production of all Brady/Giglio materials; and 7) Reservation of rights to bring additional motions. Document filed on behalf of Caleb Marrero. Attorney's Affirmation in support attached. (ja,) (Entered: 02/08/2005)
02/05/2005	<u>131</u>	TRANSCRIPT of Proceedings as to William Mendola, Caleb Marrero held on 1/10/05 before Judge Kimba M. Wood. (kj,) (Entered: 02/05/2005)
02/08/2005	<u>133</u>	(S3) SUPERSEDING INDICTMENT FILED as to Caleb Marrero (8) count(s) 1sss, 2sss. (jm,) (Entered: 02/08/2005)
02/14/2005	<u>135</u>	ENDORSED LETTER as to Caleb Marrero, addressed to Judge Wood, from Rosemary Nidiry, AUSA, dated 2/7/05, re: request a one-day adjournment of the due date for the Govt's response to the pretrial motion of Caleb Marrero - from 2/8/05 to 2/9/05. -- Judge endorsed: Granted. SO ORDERED. (Signed by Judge Kimba M. Wood on 2/9/05)(ja,) (Entered: 02/16/2005)
02/15/2005		Minute Entry for proceedings held before Judge Kimba M. Wood :Arraignment as to Caleb Marrero (8) Count 1sss,2sss held on 2/15/2005. Atty. Joseph Bondy present & AUSAs Rosemary Nidiry & Brian Coad preent. Deft. has reviewed the indictment, waives its public reading and pleads not guilty. If deft. decides to plead guilty, the plea is referred to the magistrate. Next conf. is scheduled for 3/4/05 @ 11:00 AM. Time excluded until 3/4/05. (Court Reporter Patricia Nelson) (pr,) (Entered: 02/22/2005)
02/15/2005		Minute Entry for proceedings held before Judge Kimba M. Wood : Plea entered by Caleb Marrero (8) Count 1sss,2sss Not Guilty. (Court Reporter Patricia Nelson) (pr,) (Entered: 02/22/2005)
02/15/2005		Set/Reset Hearings as to Caleb Marrero: Pretrial Conference set for 3/4/2005 11:00 AM before Judge Kimba M. Wood..(pr,) (Entered: 02/22/2005)
02/16/2005	<u>136</u>	MOTION In Limine And Response filed by USA as to Caleb Marrero's pre-trial motions. [Accepted for filing by Judge Wood on 2/16/05] (bw,) (Entered: 02/24/2005)

02/18/2005		Minute Entry for proceedings held before Judge Debra C. Freeman :Change of Plea Hearing as to Caleb Marrero held on 2/18/2005. Deft present with atty Joseph Bondy. AUSA Rosemary Nadiry and Brian Coad present. Court reporter present. Deft pleads guilty as charged in S3 03cr449 (KMW). Judge Freeman will recommend to Judge Wood that the plea be accepted. PSI ordered. Sentence set for 6/14/05 at 11:00. Deft cont'd detained. (jw,) (Entered: 03/10/2005)
02/18/2005		Change of Not Guilty Plea to Guilty Plea as to Caleb Marrero (8) Count 1sss,2sss. (jw,) (Entered: 03/10/2005)
02/18/2005		Minute Entry for proceedings held before Judge Debra C. Freeman : Plea entered by Caleb Marrero (8) Guilty as to Count 1sss,2sss. (jw,) (Entered: 03/10/2005)
02/18/2005		ORDER FOR PRE-SENTENCE INVESTIGATION REPORT as to Caleb Marrero (Signed by Judge Debra C. Freeman on 2/18/05)(jw,) (Entered: 03/10/2005)
02/18/2005		Minute Entry for proceedings held before Judge Debra C. Freeman : as to Caleb Marrero; Sentencing set for 6/14/2005 11:00 AM before Magistrate Judge Debra C. Freeman. (jw,) (Entered: 03/10/2005)
02/18/2005	(139)	CONSENT TO PROCEED BEFORE US MAGISTRATE JUDGE ON A FELONY PLEA ALLOCUTION by Caleb Marrero. (jw,) (Entered: 03/10/2005)
03/15/2005	(141)	ORDER as to Caleb Marrero: the defendant's guilty plea is accepted. (Signed by Judge Kimba M. Wood on 3/11/05) Copies Mailed By Chambers.(kw,) (Entered: 03/16/2005)
03/24/2005	(143)	TRANSCRIPT of Proceedings as to Caleb Marrero held on 2/18/05 before Judge Debra C. Freeman. (lma,) (Entered: 03/24/2005)
03/24/2005	(144)	TRANSCRIPT of Proceedings as to Caleb Marrero held on 2/15/05 before Judge Kimba M. Wood. (lma,) (Entered: 03/24/2005)
07/25/2005	(171)	ENDORSED LETTER as to Caleb Marrero addressed to Judge Wood from Joseph A. Bondy dated 6/6/05 re: Request that the 6/14/05 sentencing be adjourned for a Fatico hearing.A Fatico hearing is scheduled for 8/23/05 @ 10 AM. The court is unable to schedule the hearing during the period requested.So Ordered. (Signed by Judge Kimba M. Wood on 7/21/05) Copies mailed by chambers.(pr,) (Entered: 07/26/2005)
07/25/2005		Set/Reset Hearings as to Caleb Marrero: Fatico Hearing set for 8/23/2005 10:00 AM before Judge Kimba M. Wood..(pr,) (Entered: 07/26/2005)
08/24/2005	(174)	ENDORSED LETTER as to Caleb Marrero addressed to Judge Wood from AUSA Jason P.W. Halperin dated 8/19/05 re: submitted to request an adjournment of the Fatico hearing set for 8/29/05. JUDGE ENDORSED - The Fatico hearing in this case is adjourned to September 14, 2005 at 10:00 a.m. (Signed by Judge Kimba M. Wood on 8/22/05);

		Copies Mailed By Chambers.(bw,) (Entered: 08/29/2005)
09/14/2005		Minute Entry for proceedings held before Judge Kimba M. Wood :Fatico Hearing as to Caleb Marrero held on 9/14/2005. Dft Caleb Marrero is pres w/his atty Joseph Bondy. AUSAs Jason Halperin and Lawrence Gerschwer are pres. ICE Agent Monica Padilla is pres. DEA Agent Marc Frigiola is pres. Crt rptpr pres. Fatico hrg is adjourned. Crt will notify parties as to new date. Parties are to provide simultaneous submissions on issue of duress 48 hours prior to hrg. (Court Reporter Joe Quinones) (ja,) (Entered: 09/20/2005)
09/29/2005	(177)	TRANSCRIPT of Proceedings as to Caleb Marrero held on 9/14/2005 before Judge Kimba M. Wood. (jp,) (Entered: 09/29/2005)
10/25/2005	(180)	ENDORSED LETTER as to Caleb Marrero addressed to Judge Wood from Attorney Jason P. W. Halperin dated 10/18/05 re: submitted to request an adjournment of the Fatico hearing set for 10/28/05. Judge Endorsed - The hearing in this case is adjourned to December 7, 2005 at 10:00 a.m. (Signed by Judge Kimba M. Wood on 10/20/05); Copies mailed by Chambers.(bw,) (Entered: 10/28/2005)
12/07/2005		Minute Entry for proceedings held before Judge Kimba M. Wood :Fatico Hearing as to Caleb Marrero held on 12/7/2005. Defendant Caleb Marrero is present with his atty Joseph Bondy is present. AUSAs Jason Halperin and Lawrence Gerschwer are present. ICE Agent Monica Padilla is present. DEA Agent Marc Frigiola is present. Court reporter Connie Kuhl is present. Hearing will continue on December 21, 2005 at 10:30 or January 17, 2006. Parties shall file simultaneous briefing 10 days following the hearing, with replies within 3 days following the briefing. (jar,) (Entered: 01/09/2006)
12/07/2005		ORAL ORDER as to Caleb Marrero, as to Caleb Marrero Fatico Hearing set for 12/21/2005 10:30 AM before Judge Kimba M. Wood. (Signed by Judge Kimba M. Wood on 12/7/2005)(jar,) (Entered: 01/09/2006)
12/21/2005	(181)	TRANSCRIPT of Proceedings as to Caleb Marrero held on 12/7/2005 before Judge Kimba M. Wood. (tve,) (Entered: 12/21/2005)
12/21/2005		Minute Entry for proceedings held before Judge Kimba M. Wood :Fatico Hearing as to Caleb Marrero held on 12/21/2005. Defendant Caleb Marrero is present with his atty Joseph Bondy is present. AUSAs Jason Halperin and Anirudh Bondy are present. ICE Agent Monica Padilla is present. DEA Agent Marc Frigiola is present. Court reporter Catherine Simmons is present. Fatico hearing concludes. The parties will provide simultaneous briefing. The first briefs are to be submitted by January 5, 2006 and any replies are to be submitted by January 10, 2006. Defense counsel is to notify the government by letter as to whether Exhibit G will be offered by January 3,2006. (jar,) (Entered: 01/09/2006)
12/21/2005		ORAL ORDER as to Caleb Marrero, As to Caleb Marrero Brief due by 1/5/2006. Replies due by 1/10/2006. (Signed by Judge Kimba M. Wood on 12/21/2005)(jar,) (Entered: 01/09/2006)

01/04/2006	<u>182</u>	TRANSCRIPT of Proceedings as to Caleb Marrero held on 12/21/05 at 12:30 p.m. before Judge Kimba M. Wood. (js,) (Entered: 01/04/2006)
01/10/2006	<u>185</u>	ENDORSED LETTER as to Caleb Marrero, addressed to Judge Wood, from Jason P.W. Halperin, AUSA, dated 1/5/06, re: jointly request a brief extension of the schedule for filing post-Fatico briefs: initial simultaneous briefs would be due Monday, January 9, with reply simultaneous briefs due 1/13/06. -- Judge endorsed: SO ORDERED. (Signed by Judge Kimba M. Wood on 1/5/06)(ja,) (Entered: 01/11/2006)
01/17/2006	<u>186</u>	Letter by Caleb Marrero addressed to Judge Kimba M. Wood from Joseph A. Bondy dated 1/9/2006 re: support of Mr. Marrero's sentencing argument. It is requested that Mr. Marrero be sentenced to "time served" or an otherwise non-incarcerative sentence. (jar,) (Entered: 01/17/2006)
01/18/2006	<u>187</u>	ENDORSED LETTER as to Caleb Marrero addressed to Judge Wood from Joseph A. Bondy dated 1/13/06 re: Extension of the schedule for filing post-Fatico hearing briefs to 1/17/06. So Ordered. (Signed by Judge Kimba M. Wood on 1/13/06) Copies faxed by chambers.(pr,) (Entered: 01/18/2006)
01/24/2006	<u>188</u>	Letter by Caleb Marrero addressed to Judge Wood from Joseph A. Bondy dated 1/17/06 re: Letter memorandum in reply to govt's post-Fatico hearing brief (pr,) (Entered: 01/24/2006)
01/24/2006	<u>189</u>	Government's Post-Fatico Hearing Reply filed by USA as to Caleb Marrero. Dated 1/17/06. [*** Note: Accepted for filing by Judge Wood on 1/24/06 ***] (bw,) (Entered: 01/27/2006)
01/24/2006	<u>190</u>	Government's Post-Fatico Hearing Memorandum filed by USA as to Caleb Marrero. Dated 1/9/06. [*** Note: Accepted for filing by Judge Wood on 1/24/06 ***] (bw,) (Entered: 01/27/2006)
05/04/2006		Minute Entry for proceedings held before Judge Kimba M. Wood :Sentencing held on 5/4/2006 for Caleb Marrero (8) Count 1sss,2sss. (pr,) (Entered: 05/31/2006)
05/04/2006		DISMISSAL OF COUNTS on Government Motion as to Caleb Marrero (8) Count 1,1s,1ss..(pr,) (Entered: 05/31/2006)
05/15/2006	<u>197</u>	FILING ERROR - ELECTRONIC FILING FOR NON-ECF CASE - NOTICE OF ATTORNEY APPEARANCE Jason P.W. Halperin appearing for USA. (Halperin, Jason) Modified on 5/16/2006 (gf,). (Entered: 05/15/2006)
05/16/2006		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Jason Halperin as to Caleb Marrero: to MANUALLY RE-FILE Document Notice of Appearance, Document No. 197. This case is not ECF. (gf,) (Entered: 05/16/2006)
05/16/2006	<u>198</u>	NOTICE OF ATTORNEY APPEARANCE Jason P.W. Halperin appearing for USA. (rag,) (Entered: 05/17/2006)

05/23/2006	199	TRANSCRIPT of Proceedings as to Caleb Marrero held on 05/04/06 before Judge Kimba M. Wood. (es,) (Entered: 05/23/2006)
05/25/2006	201	JUDGMENT as to Caleb Marrero (8), Count(s) 1, 1s, 1ss, Count dismissed on government motion; Count(s) 1sss, 120 months imprisonment, to run concurrently with count #2. 3 years supervised release with standard and special conditions of supervision, to run concurrently.; Count(s) 2sss, 120 months imprisonment, to run concurrently with count #1. 3 years supervised release with standard and special conditions of supervision, to run concurrently. Deft. remanded to the custody of the USM. (Signed by Judge Kimba M. Wood on 5/25/06)(pr,) (Entered: 05/31/2006)
05/25/2006		Judgment entered in money judgment book as #06,1229 as to Caleb Marrero in the amount of \$ 200.00, re: [201] Judgment. (dt,) (Entered: 06/05/2006)
06/26/2006	203	NOTICE OF APPEAL by USA as to Caleb Marrero from [201] Judgment. Copies of Notice of Appeal mailed to Attorney(s) of Record: Law Offices of Joseph A. Bondy. (USA). (nd,) (Entered: 06/27/2006)
06/27/2006		Transmission of Notice of Appeal and Certified Copy of Docket Sheet as to Caleb Marrero to US Court of Appeals re: [203] Notice of Appeal - Final Judgment. (nd,) (Entered: 06/27/2006)
06/30/2006	204	Government's Post-Fatico Hearing Memorandum, filed by USA as to Caleb Marrero. Dated 1/9/06. (bw,) (Entered: 06/30/2006)
06/30/2006	205	MEMORANDUM In Aid Of Sentencing, filed by Caleb Marrero. (bw,) (Entered: 06/30/2006)
08/25/2006		USCA SCHEDULING ORDER as to Caleb Marrero related to [203] Notice of Appeal - Final Judgment filed by USA,, USCA Case Number 06-3011-cr. Defendant Brief due by 10/13/2006. Government Brief due by 11/13/2006. Appeal Record due by 9/13/2006. (nd,) (Entered: 08/25/2006)